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SPECIFIC GROUPS AND INDIVIDUALS: MASS EXODUSES AND DISPLACED PERSONS

Written statement submitted by Human Rights Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 December 1999]

GE.00-10496 (E)

Internal displacement: a global problem

1. Of the 50 million people worldwide who have been forced to flee their homes, some 30 million are believed to be internally displaced within their own countries. Most internally displaced persons experience conditions of extreme hardship and enjoy limited international assistance and protection. Despite their numbers, there exists no international agency or legally binding instrument specifically to provide international protection and assistance to the internally displaced.

2. Internal displacement is a global problem. The conflicts of the past decade have increasingly been internal ones and their victims frequently civilians. Indeed, the systematic displacement of whole populations, or particular ethnic or minority groups, has become a deliberate strategy of many contemporary conflicts. New crises in the northern Caucasus, East Timor, Indonesia, Burundi and Kosovo over the past year all entailed massive internal displacement. Meanwhile, in Angola, Burundi, Colombia, Myanmar, the Sudan, Sierra Leone and Sri Lanka, situations of internal displacement have worsened or stagnated.

Northern Caucasus

3. The Russian offensive in Chechnya in 1999 forced over 200,000 civilians to flee their homes in order to seek safety. The majority of the displaced fled to the neighbouring Russian Federation Republic of Ingushetia and the remainder were displaced within Chechnya itself. Displaced persons suffered a myriad of abuses and problems.

4. Restrictions of freedom of movement: closure of borders. In October 1999, the Russian authorities closed the border with the Republic of Ingushetia, effectively trapping civilians inside Chechnya. Although it was subsequently reopened, there continued to be serious bureaucratic delays, extortion and abuses at the border. Freedom of movement for internally displaced persons was also severely curtailed. At the beginning of the crisis internally displaced persons were refused permission to leave either Ingushetia or Chechnya for other parts of Russia, where many of them had relatives. In early October 1999, the Government of the Russian Federation announced that it would resettle displaced persons in parts of northern Chechnya under Russian military control. Human Rights Watch protested that this would endanger the lives of displaced persons.

5. Lack of access to humanitarian assistance and physical insecurity. Those displaced inside Chechnya itself had almost no access to humanitarian assistance. Even in the Republic of Ingushetia, humanitarian assistance was minimal and many of the displaced lived in appalling conditions without adequate food, shelter, and medical care. The displaced were also the victims of physical attacks by Russian fighters.

6. Human Rights Watch makes the following recommendations:

- The Russian authorities must allow internally displaced persons to move freely within the Russian Federation. All border restrictions, extortion and abuses must immediately cease. Displaced persons must be given free and safe access to safe areas in Ingushetia and elsewhere in the Russian Federation;

- No displaced persons should be moved to parts of the conflict zone where their safety and security cannot be guaranteed and where international humanitarian agencies do not have free and safe access;

- The Government of the Russian Federation must provide adequate humanitarian assistance to internally displaced persons. Where it is unable to provide sufficient assistance, it must accept international offers of help;

- International humanitarian agencies, including the Office of the United Nations High Commissioner for Refugees (UNHCR), should be given full, free and unimpeded access to all internally displaced persons with full security guarantees;

- All attacks on internally displaced persons must cease immediately. Those fleeing Chechnya must be given safe passage through genuine safe corridors or ceasefire zones which are strictly respected. Deliberate attacks on displaced persons and humanitarian workers should be investigated and those responsible should be arrested and prosecuted according to international standards.

East Timor

6. In the weeks following the 4 September 1999 announcement of the pro-independence vote in East Timor, some 300,000 East Timorese, out of a pre-referendum population of 850,000, were internally displaced. An additional 200,000 people were pushed across the border, most of them into West Timor, or elsewhere in Indonesia.

7. Forced displacement, forced relocations, restrictions on freedom of movement, and obstacles to return. Human Rights Watch found compelling evidence that the Indonesian authorities and militia groups forcibly expelled some 200,000 people out of East Timor into West Timor, as part of an orchestrated strategy to alter the political balance in East Timor and reduce the number of independence supporters, particular in East Timor's western districts. In December 1999, although 110,000 refugees had returned from West Timor, Human Rights Watch reported that significant obstacles to the return of East Timorese refugees in West Timor and elsewhere in Indonesia remained.

8. Lack of access to humanitarian assistance. Humanitarian access to the internally displaced in East Timor was severely restricted, particularly after the closure in September of all United Nations Mission in East Timor (UNAMET) field offices and the evacuation of United Nations staff. With the arrival of the International Force, East Timor (INTERFET) in late September, access for humanitarian agencies to the displaced populations improved. In West Timor, and elsewhere in Indonesia where access is particularly restricted, UNHCR and other international humanitarian organizations had not been able, as of late December, to achieve full, free and unimpeded access to all refugees with full security guarantees.

9. Physical insecurity and attacks. There was virtually no protection for internally displaced persons in East Timor at the beginning of the crisis. Militias, at times aided by government troops, deliberately targeted and burned places of refuge, including churches, schools and other large public buildings, and attacked and killed displaced persons and those sheltering them. The

Indonesian authorities did little to control the militias. In West Timor, refugees in Government-run camps were held in hostage-like conditions and camps were infiltrated by the same militia groups responsible for terrorizing the refugees in East Timor. The militias subjected refugees to physical attacks, intimidation, killings and "disappearances" and both the militia and soldiers reportedly conducted "sweeps" of the camps to identify pro-independence supporters. Meanwhile, the Indonesian authorities did little to provide refugees with protection.

10. Human Rights Watch makes the following recommendations:

- The Government of Indonesia must take immediate steps to ensure the strictly humanitarian and civilian nature of refugee camps and settlements in West Timor and to separate militia members from civilian refugees;

- The Government must take urgent steps to prevent intimidation, harassment and attacks by militias on refugees in West Timor who wish to return to East Timor. Those responsible for such actions must be arrested and prosecuted in accordance with international standards.

- The Government should ensure that UNHCR and other humanitarian organizations have full, free and unimpeded access to all refugees in West Timor and elsewhere in Indonesia, with full security guarantees;

- The Government should take steps to counter deliberate misinformation campaigns taking place in West Timor.

Burundi

11. Forced displacement and relocations. In September 1999, following increasing rebel attacks on Bujumbura in July and August, the Government of Burundi forced 317,666 (73 per cent) of the inhabitants of the surrounding province of Bujumbura-Rural out of their homes and into "regroupment" camps. The regroupment camps were part of a counter-insurgency strategy aimed at protecting Bujumbura and ending possible local support to the rebels. In late 1996 and 1997, the Government had also forced hundreds of thousands of civilians into regroupment camps. The total number of internally displaced persons in Burundi at the end of 1999 was over 800,000.

12. Physical insecurity and lack of access to humanitarian assistance. Security and humanitarian conditions in the camps were extremely poor. Members of the Burundian military were reported to have selected men from some of the camps and caused their "disappearance", and rebels reportedly attacked some camps. Access for United Nations and international humanitarian agencies to the camps was severely limited. The operations of the few humanitarian agencies that did have access to the camps were seriously constrained, causing one of them to actually cease its operations in late 1999. The camps lacked clean water, adequate shelter, medical assistance and schooling for the children. Many of them were located far from roads, making the delivery of supplies extremely difficult. In one week alone at the end of September 1999, aid officials reported that at least 100 villagers died of disease in the camps.

13 Human Rights Watch makes the following recommendations

- The Government of Burundi should take urgent steps to cease the forced relocation of its citizens to regroupment camps,

- The Commission on Human Rights should condemn the policy of forced regroupment, which is in violation of article 17 of Protocol II to the Geneva Conventions of 1949, to which Burundi is a party, and the Guiding Principles on Internal Displacement, both of which prohibit the forced displacement of citizens in all but strictly limited circumstances

General recommendations

14 Human Rights Watch calls on all Governments to respect their obligations to protect and uphold the rights of displaced persons, by which they are bound through international instruments and which are reiterated in the Guiding Principles on Internal Displacement

15 We call on Member States to make available the resources needed to provide adequate protection and assistance to internally displaced persons

16 We urge the Commission on Human Rights to extend the mandate of the Special Representative of the Secretary-General on internally displaced persons, Mr. Francis Deng, and to provide him with the necessary resources to carry out his tasks

17 We call on the Commission on Human Rights to reiterate its support for the Guiding Principles on Internal Displacement

18 We call on other regional organizations of States and international organizations to add their endorsement of and support for the Guiding Principles

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